

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ABDIFATAH HASSAN AHMED,

Plaintiff,

v.

CAPT. JUDD, HSU MANAGER
BUCHANAN, RN NURSE ALT and
RN NURSE JOE,

Defendants.

ORDER

Case No. 20-cv-237-wmc

On March 16, 2020, I entered an order directing plaintiff Abdifatah Hassan Ahmed to either pay the \$400 filing fee or to submit a motion for leave to proceed without prepayment of the filing fee along with a six-month trust fund account statement. Dkt. 2. On April 6, 2020, plaintiff filed a motion for an order requesting CCI business office to produce plaintiff's certified trust account statement. Dkt. 3. I will deny as unnecessary plaintiff's motion. Plaintiff has submitted a certified trust fund account statement (dkt. 10) in case no. 20-cv-137-wmc. Therefore, I will adopt the certified trust fund account statement filed in case no. 20-cv-137-wmc when deciding plaintiff's request in this case.

After considering plaintiff's trust fund account statement, the court concludes that plaintiff qualifies for indigent status. Even when a litigant qualifies for indigent status, the litigant must pay a portion of the fee returned by the formula set forth in 28 U.S.C. § 1915(b)(1). Using information for the relevant time period from plaintiff's trust fund account statement, I conclude plaintiff's initial partial filing fee to be \$0.04. For this case to proceed, plaintiff must submit this amount on or before April 30, 2020.

ORDER

IT IS ORDERED that,

1. Plaintiff Abdifatah Hassan Ahmed's motion for an order requesting CCI business office to produce plaintiff's certified trust account statement, dkt. 3, is DENIED as unnecessary.

2. Plaintiff is assessed \$0.04 as an initial partial payment of the \$350.00 fee for filing this case. Plaintiff is to submit a check or money order made payable to the clerk of court in the amount of \$0.04 or advise the court in writing why plaintiff is not able to submit the assessed amount on or before April 30, 2020. If plaintiff does not have enough money to make the initial partial payment from plaintiff's regular account, plaintiff should arrange with authorities to pay the remainder from plaintiff's release account.

3. If, by April 30, 2020, plaintiff fails to make the initial partial payment or show cause for failure to do so, plaintiff will be held to have withdrawn this action voluntarily and the case will be closed without prejudice to plaintiff filing this case at a later date.

4. No further action will be taken in this case until the clerk's office receives plaintiff's initial partial filing fee as directed above and the court has screened the complaint as required by the Prison Litigation Reform Act, 28 U.S.C. § 1915A. Once the screening process is complete, a separate order will issue.

Entered this 8th day of April, 2020.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge